

CITY OF ANNISTON

MARCH 16, 2015

5:30 P.M.

- **INVOCATION**
- **PLEDGE OF ALLEGIANCE**
- **CALL TO ORDER**
- **ROLL CALL**
- **READING/APPROVAL OF MINUTES OF PREVIOUS MEETING**
- **STAFF ADDITIONS/DELETIONS TO THE AGENDA**
- **ADOPTION OF AGENDA**

I. RECOGNITIONS

- (a) Sacred Heart of Jesus Catholic School Boys State 1-A Basketball Champions

II. RECEIVE INFORMAL PUBLIC COMMENTS

Informal Public Comment – Speaker Protocol

The City of Anniston believes that any member of the general public should be afforded the opportunity to address the City Council provided that designated rules are followed by the speaker. Any member of the public who wishes to address the City Council and offer public comment on items within the City Council's jurisdiction, may do so during the Informal Public Comment period of the meeting. However, no formal action will be taken on matters that are not part of the posted agenda. In order to ensure the opportunity for all those desiring to speak before the Council, there is no yielding of time to another speaker. This opportunity to address City Council may not be used to continue discussion on an agenda item that has already been held as a public hearing. Matters under negotiation, litigation, or related to personnel will not be discussed. If a member of the general public would like to address the City Council during the Informal Public Comment portion of the meeting, please respectfully indicate your desire to address the City Council when the Mayor solicits members of the general public to come forward and speak. You will be recognized by the Mayor and asked to come forward to the podium so that you can address the City Council in accordance with the rules outlined herein. Once the speaker has been recognized to speak, he/she will be given three (3) minutes to address the City Council. The speaker should not attempt to engage the City Council and/or Staff in a discussion/dialogue and the speaker should not ask specific questions with the expectation that an immediate answer will be provided as part of the three (3) minute time frame since that is not the intent of the Informal Public Comment period. If the speaker poses a question or makes a request of the City, the Mayor may refer the issue or request to the City Manager for follow up. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. The Mayor may rule out of order any Speaker who uses abusive or indecorous language, if the subject matter does not pertain to the City of Anniston, or if the Speaker(s) attempts to engage the City Council Members in a discussion or dialogue on issues. City Council shall not discuss non-agenda matters because it does not give the public adequate notice. Accordingly, City Council shall be limited to asking factual and clarifying questions of staff, and when appropriate, the Council may consider placing a matter on a future agenda. In addition, it is not reasonable to expect staff to respond to any of a variety of issues on which they may or may not be prepared to respond to on a moment's notice, so the City Manager may respond, or direct staff to respond at a later time.

III. RECEIVE FORMAL PUBLIC COMMENT

Formal Public Comment – City Council Agenda Protocol

The City of Anniston has identified this portion of the meeting to allow individuals an opportunity to formally address the City Council on issues of importance. Anniston requires that individuals who desire to formally address City Council to submit a written request form outlining the subject matter that they intend to discuss so that they can be placed on an upcoming meeting agenda. Members of the public desiring to be placed on the agenda to present or address matters to the City Council must submit a formal **“REQUEST TO BE PLACED ON THE CITY COUNCIL AGENDA”** form to the Office of the City Manager at least 10 days prior to the requested City Council meeting date that you wish to speak. City Council meetings are held on the second and fourth Monday of each month so the request must be submitted no later than 5:00 pm on the Friday which constitutes 10 days prior. The request can be done in person, regular mail, fax or email and the speaker should obtain acknowledgement of the request from the City to demonstrate that the 10 day requirement has been met. The request form may be obtained from the Office of the City Manager or from the City’s website www.anniston.al.gov. The request should state the name of the individual(s) desiring to be heard and the subject matter to be presented to City Council. Requests may be referred, at the discretion of the City Manager, to appropriate staff for mediation prior to being placed on the public agenda. Please be advised that the mere completion of a request form does not entitle the speaker to be added to the agenda.

(a) Board Confirmations:

- i. McClellan Development Authority – Willie Duncan
- ii. Downtown Development Authority

IV. CONDUCT PUBLIC HEARING - None

Speaking to a Public Hearing Item

In the interest of time and to ensure the fairness of all persons who appear before the City Council to speak for or against a public hearing item, speakers will be limited to three (3) minutes each to address City Council except as described herein. One speaker for the Petitioner may address the City Council for no more than 10 minutes, unless extended by the Mayor. In an effort help the City Council and the general public to better understand the issues, the Mayor may request that a City staff member address the City Council from the podium. Speakers from the general public may only speak when recognized by the Mayor during the public hearing. Speakers will be asked to come to the podium to address the City Council for three (3) minutes and they shall state their name and resident address for the record. Speakers addressing City Council on a public hearing item should coordinate comments in order to respect City Council’s time constraints. Groups should select a spokesperson to present the major points that summarize their position and opinions. Speakers are urged to be brief and non-repetitive with their comments. Comments shall specifically address the public hearing item before the City Council, and the speaker shall maintain appropriate tone and decorum when addressing the City Council. City Council may ask questions of the applicant, speakers, or staff during these proceedings only for the purpose of clarifying information. The speaker shall not direct derogatory comments to any individual, organization, or business. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. Once the public hearing is closed on an item, there will be no further opportunity for formal or informal public input at a City Council meeting.

V. UNFINISHED BUSINESS – None

VI. CONSENT AGENDA

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the city.
- (b) Resolution appointing members to the Downtown Development Authority.
- (c) Motion that the bid in the total amount of \$320,398.00 by McCartney Construction for the Roadway Improvement Project at the intersection of AL Highway 21 and Hillcrest Road be accepted.

VII. RESOLUTIONS

- (a) Resolution to Disclaim Possibility of Reverter Interest in Certain Real Property and Authorizing the Mayor to Execute Deed Conveying Said Property to Reversionary Grantees

VIII. OTHER ADDITIONAL OR FURTHER MATTERS THAT MAY COME BEFORE COUNCIL

COUNCIL COMMENTS

ADJOURNMENT

MINUTES

3/2/2015

Anniston, Alabama
March 2, 2015

The City Council of the City of Anniston, Alabama, met in Regular Session in the Council Chamber in the City Hall of the City of Anniston, Alabama, on Monday, March 2, 2015, at approximately 5:35 o'clock p.m.

Craig Miller prayed the Invocation.

Craig Miller led the Pledge of Allegiance to the Flag.

Mayor Stewart called the meeting to order. On call of the roll the following Council Members were found to be present: Council Members Reddick, Selase, Harris and Stewart; absent: Council Member Jenkins. A quorum was present and the meeting opened for the transaction of business.

Brian Johnson, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Reddick made a motion to waive the reading of the minutes of February 16, 2015. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Reddick, Selase, Harris and Stewart; nays: none; absent: Council Member Jenkins. The motion carried.

Council Member Selase made a motion to approve the minutes of February 16, 2015. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Reddick, Selase, Harris and Stewart; nays: none; absent: Council Member Jenkins. The motion carried.

Council Member Reddick made a motion to adopt the agenda. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Reddick, Selase, Harris and Stewart; nays: none; absent: Council Member Jenkins. The motion carried.

The Council recognized and honored the Anniston High School Girls Basketball Team.

Coach Bullock, Anniston High School Girls Basketball Team, addressed the Council and the audience concerning the Anniston High School Girls Basketball Team.

Each member of the Anniston High School Girls Basketball Team addressed the Council and the audience.

Council Member Harris presented the following proclamation to Margaret Hatley, Donna Fathke and Susan Cook:

3/2/2015

(World Spay Day)

Council Member Selase made a motion to approve the Consent Agenda items:

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the city.
- (b) Resolution authorizing the Mayor to execute a Transportation Planning Process Agreement with the Alabama Department of Transportation and the Federal Highway Administration.
- (c) Resolution authorizing the submission of a grant application under the Historic Preservation Fund.
- (d) Resolution approving the proposed amendments as required by Alabama Code § 22-51-7 for Calhoun Cleburne Mental Health Board, Inc.
- (e) Motion to approve a Retail Beer (Off Premises Only) license application for M Saleh LLC d/b/a Express Food Mart 26 located in the city limits at 3040 Highway 78 East.
- (f) Motion to approve the base bid in the amount of \$96,425.00 and the options in the amount of \$37,400.00 (all as denoted in the contract schedule attached hereto) for a total contract amount of \$133,825.00 by J.F. Morgan General Contractors for the Michael Tucker Park construction project be accepted and awarded.

The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Reddick, Selase, Harris and Stewart; nays: none; absent: Council Member Jenkins. The motion carried.

Council Member Harris introduced and read Ordinance Number 15-O-4 as follows:

(15-O-4, establishing safe distance passing of bicycles and pedestrians)

Council Member Harris made a motion for the passage and adoption of Ordinance Number 15-O-4 as introduced and read. The motion was seconded by Council Member Selase; and on call of the roll the following vote was recorded: ayes: Council Members Reddick, Selase, Harris and Stewart; nays: none; absent: Council Member Jenkins. The motion carried and Ordinance Number 15-O-4 was passed and adopted.

Council Member Harris introduced and read Resolution Number 15-R-23 as follows:

(15-R-23, declaring a reported condition to be a public nuisance)

Council Member Harris made a motion for the passage and adoption of Resolution Number 15-R-23 as introduced and read. The motion was seconded by Council Member Selase; and on call of the roll the following vote was recorded: ayes: Council Members Reddick, Selase, Harris and Stewart; nays: none; absent: Council Member Jenkins. The motion carried and Resolution Number 15-R-23 was passed and adopted.

Mayor Stewart stated he did not want anyone to leave the meeting without getting a copy the City's newsletter. He stated the newsletter would be published on a quarterly basis. He thanked Aziza Jackson for her work on the newsletter.

3/2/2015

Council Member Reddick encouraged the students to take their SAT early in high school and to take it every year to improve their scores. He stated they should also fill out their FAFSA form.

Council Member Selase stated that the loss of Martha Vandervoort, Interfaith Ministries, would be a blow to the community. He stated the Housing Authority had rescheduled their Black History program and would be held on March 13 at the Carver Center. He stated the students should not let anybody limit their dreams.

Council Member Harris stated that Martha Vandervoort, Interfaith Ministries, had been someone who walked the talk and she would be greatly missed in the community.

Mayor Stewart stated that this Council would honor the memory of Martha Vandervoort, Interfaith Ministries, in some way in the future.

There being no further business to come before the meeting at that time Council Member Selase made a motion the meeting be adjourned. The motion was seconded by Council Member Selase; and on call of the roll the following vote was recorded: ayes: Council Members Reddick, Selase, Harris and Stewart; nays: none; absent: Council Member Jenkins. The motion carried and the meeting was adjourned at approximately 6:23 o'clock p.m.

CONSENT AGENDA

RESOLUTION NO. 15-R-__

**A RESOLUTION AUTHORIZING REIMBURSEMENTS TO CITY OFFICIALS FOR EXPENSES
INCURRED WHILE TRAVELING AWAY FROM THE CITY**

BE IT RESOLVED, by the City Council of the City of Anniston, Alabama, that reimbursement is made by the City of Anniston, Alabama, as follows:

- a.** \$96.60 to Jean Anne Oglesby, Farmers Market, while attending SNAP Nutrition Program on February 19, 2015 in Alex City, AL.
- b.** \$72.93 to Renee Baker, CDBG, while attending HUD State CPD Directors Conference on February 18, 2015 in Birmingham, AL.

PASSED AND ADOPTED this ____ day of February, 2015

**CITY COUNCIL OF THE CITY
OF ANNISTON, ALABAMA**

BY:_____
Vaughn M. Stewart II, Mayor

BY:_____
Jay W. Jenkins, Council Member

BY:_____
David E. Reddick, Council Member

BY:_____
Seyram Selase, Council Member

BY:_____
Mille Harris, Council Member

ATTEST:

Alan B. Atkinson, City

RESOLUTION NUMBER 14-R-___

**A RESOLUTION AMENDING THE SCHEDULE OF NOMINATIONS
ASSIGNING AND DESIGNATING THE POSITIONS ON EACH MUNICIPAL
BOARD, COMMISSION AND AUTHORITY TO SPECIFIC WARD
COUNCILMEMBERS AND TO THE OFFICE OF THE MAYOR AND
APPOINTING MEMBERS TO THE ANNISTON DOWNTOWN
DEVELOPMENT AUTHORITY**

WHEREAS, the Council has adopted Ordinance No. 14-O-13, an ordinance amending Division 1, Article XI, Chapter 2 of the Code of Ordinances for the City of Anniston, Alabama Regulating Boards, Commissions and Authorities, in order to, among other things, assign the positions on the City's boards, commissions and authorities to nominations by specific Council Ward Representatives or to the Office of the Mayor so that those who are appointed to serve more fairly and equitably represent the citizenry of the City and to simplify and clarify to Council's nomination and appointment process;

WHEREAS, the Council has adopted Resolution No. 15-R-18 authorizing the incorporation of the Anniston Downtown Development Authority and the positions on said board are due to be assigned among and designated to specific Council Ward Representatives and the Office of the Mayor, as agreed upon and memorialized in the Schedule of Nominations adopted by a Resolution of the Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Anniston, Alabama as follows:

Section 1. The City Council of the City of Anniston finds that circumstances warrant the waiver of the requirement set by ordinance that notice of any vacancies or scheduled appointments shall be provided to the public during an open meeting no less than one month prior to the date when any nominations can be made, including, but not limited to, the recent incorporation of the Anniston Downtown Development Authority, the pressing need to populate said board. The Council does hereby exercise its discretion to waive this requirement with regard to the appointments to the said board, as set forth in this resolution.

Section 2. The City Council of the City of Anniston hereby adopts the Schedule of Nominations for the Anniston Downtown Development Authority attached hereto as Exhibit A so as to assign the positions on said board to the City's Council Ward Representatives and the Office of the Mayor and to designate any future nominations to those assigned positions to the respective office holders.

Section 3. The City Council of the City of Anniston does hereby appoint those persons identified in the Schedule of Nominations for the Anniston Downtown Development Authority attached hereto as Exhibit A to the board and for the terms set forth therein.

Section 4. That the City Clerk shall cause a copy of this Resolution to be mailed to the above named appointees and to said board.

PASSED and **ADOPTED** this ____ day of _____, 2014.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Vaughn M. Stewart II, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Seyram Selase, Council Member

Millie Harris, Council Member

ATTEST:

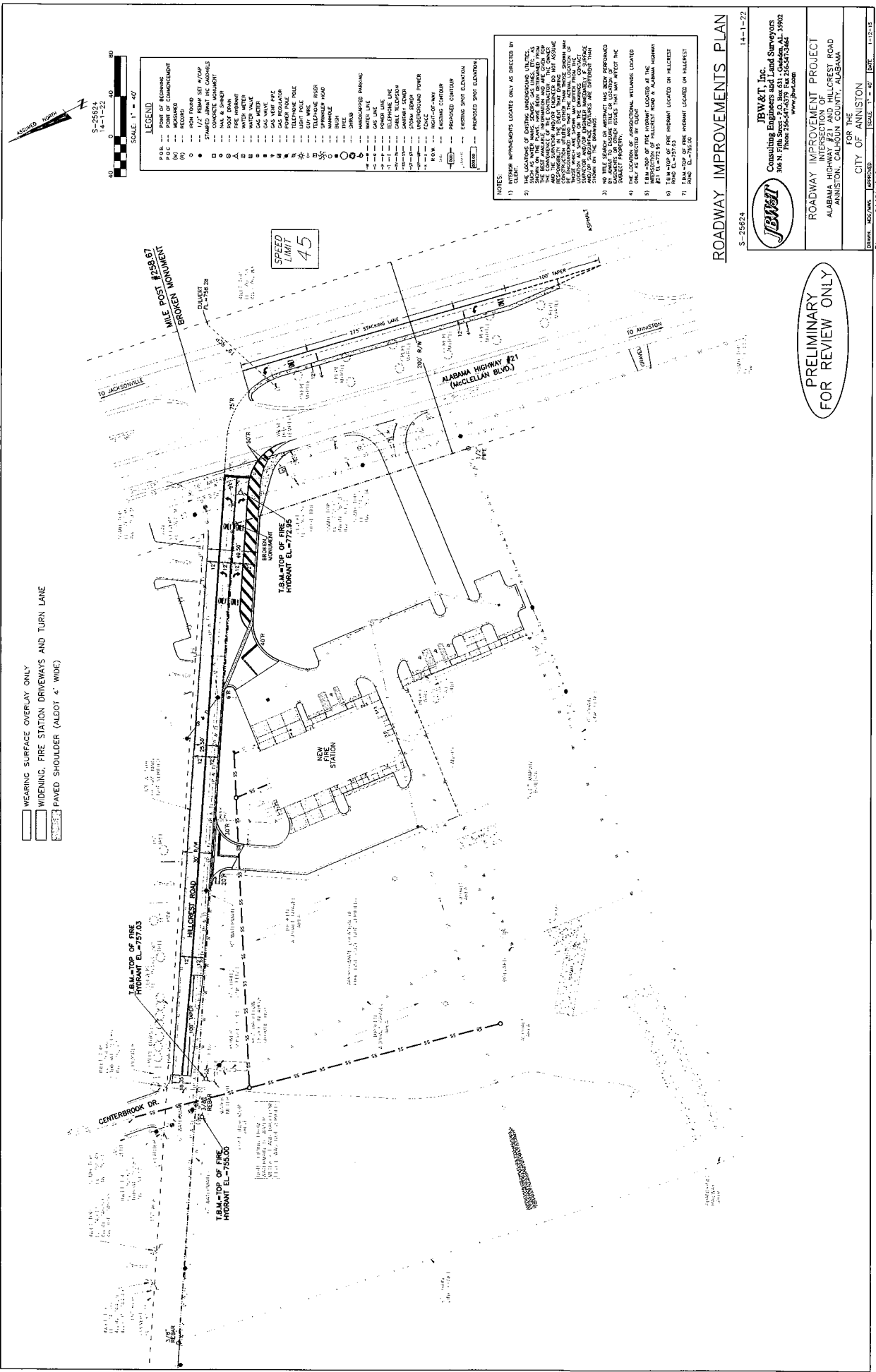
Alan B. Atkinson, City Clerk

Memo

To: City Council Members
Thru: Brian Johnson, City Manager
From: Robert J. Dean, Jr., Public Works Director
Date: March 13, 2015
Re: AL Highway 21 Improvement for Fire Station

Attached is the plan of road improvements to help with the infrastructure of the new Fire Station. These improvements are required to sustain the flow of traffic on AL Highway 21 when the new Fire Station becomes operational, primarily because the existing system is not capable of handling such large vehicles.

The project cost is not to exceed \$320,398.00 and will be started within 90 days from March 5, 2015.



RESOLUTIONS